

Remarks

Claims 1-20 are pending in the above-identified application. Claims 1, 8, and 15 are amended, claims 2, 9, 10, 13, 16 and 17 are cancelled, and claims 3-7, 11, 12, 14 and 18-20 are original.

The Examiner rejected claims 1, 3-8, 11, 12, 14, 15 and 18-20 under 35 U.S.C. 102(a) as being anticipated by Luzzatti et al. (U.S. PGPub 2003/0046433).

The following legal requirement is quoted from MPEP 2131 and establishes what is required to sustain a rejection under 35 U.S.C. §102. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since the Office Action's citations to each of the applied references is missing at least one element of each of Applicants' independent claims, Applicants respectfully submit that the claimed invention is not anticipated by the Office Action's citations to the applied references, as further discussed below.

In response to Applicant's previous arguments the Examiner responded as follows:

“(A) The prior art of Luzzatti does not teach updating configuration data in the network subscriber database and then downloading the data to the mobile station if the configuration data was updated via user interfaces that are unassociated with the mobile station. Applicant's

specification includes support for this limitation including a description of web-based graphical user interfaces, PC-based applications using WiFi, and directly through the mobile interface.

As to point (A), Luzzatti teaches a variety of user interfaces including using the Internet, PC-based clients, and other methods (see paragraphs 0003,0004, and 0006). These interfaces enable storing and changing mobile configuration data both directly from the mobile station (paragraphs 0022-0027 and fig. 2) and from interfaces that are unassociated with the mobile station (see, e.g. paragraphs 0028-0030 and fig. 3)."

The Examiner then repeated the rejection of the claims under 35 U.S.C. 102(a) as being anticipated by Luzzatti et al.

The independent claims have been changed to more clearly define the present invention by inclusion of the following features in each of the independent claims: wherein when a PC-based application locally reconfigures data directly on the mobile station, the mobile station then sends the reconfigured data to the network subscriber database for storage.

On pages 7 and 8 of the specification user interface is explained as follows:

"Alternatively, a PC-based application could locally reconfigure the data directly on a mobile station, such as a cell phone. The mobile station may send this new configuration data to the network subscriber database for storage as described below."

Luzzati et al. disclose a synchronization method for communication devices via various interfaces such as the web, networked clients, or cellular devices that support WAP or other devices such as PSTN or mobile telephones. Synchronization is performed by the device originating the event sending a request verb indicating the required event to the server. The server sends back an acknowledgment (response) verb to that particular device and an addition verb about the event to all of the subscriber's connected devices (this list includes the device that originated the event if this device is of a type that receives server originated events). A sync maintenance embodiment monitors each device, and when a device is determined to have become unsynchronized, a repair procedure is initiated using status identifiers kept on the devices (Local Status Identifiers) and on the server (Master Status Identifiers) that are sent periodically to the server.

Therefore, the amendment of the claims overcomes the rejection of the claims under 35 U.S.C. 102(a), since Luzzati et al. does not disclose or suggest each of the claimed elements of the independent claims as described above. In paragraph 6 of Luzzati et al., a system and method is disclosed that enable a subscriber to communicate and control their communication devices via various interfaces such as the web, networked clients, cellular devices that support WAP or regular PSTN phones. As in other messenger clients, the subscriber can manage their contact list (adding, deleting, editing contacts) and send messages. In addition, they can place a call and change their routing policy. However, in Luzzati et al. the subscriber can be connected to the system from more than one device, and thus can perform operations with one device that will affect other devices. The system maintains the synchronization of information (contact lists, etc.)

associated with the devices (subscriber/owners of the devices) and makes sure the device remains in sync even in rough network conditions (such as packet loss).

The dependent claims include all the limitations of the respective independent claims upon which they depend, and are therefore also allowable over the cited prior art for the reasons set forth above with respect to independent claims.

Reconsideration and withdrawal of the rejections is therefore respectfully requested. In view of the above remarks, allowance of all claims pending is respectfully requested.

The prior art made of record and not relied upon is considered to be of general interest only. This application is believed to be in condition for allowance, and such action at an early date is earnestly solicited. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Garrett", with a horizontal line drawn underneath it.

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Dated: April 8, 2009

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